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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,532	04/25/2001	Charles J. Gonsalves JR.	TI-30664	7492
23494	7590	06/15/2005	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			RAMAN, USHA	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/842,532

Applicant(s)

GONSALVES, CHARLES J.

Examiner

Usha Raman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20030414, 20010425</u> | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Budge et al (US Pat. 6,014,689).

In regards to claim 1, Budge discloses a method of video messaging comprising:

In a transmission station:

Recording a video message in a digital form (see column 1, lines 37-41, column 3, lines 35-38);

Transmitting the recorded video message to a predetermined reception station (column 1, lines 42-44);

In a reception station:

Storing a received video message in a nonvolatile memory (see column 5, lines 53-60, line 67-column 6, line 3); and

At a time other than reception of the video message, displaying the stored video message to a user (see column 2, lines 15-19, column 4, lines 35-41, column 6, lines 13-14).

In regards to claim 2, Budge discloses the method of:

In a transmission station:

Encoding the digital form of the video message into encoded video message  
(see column 1, lines 53-59, column 4, lines 43-47);

Wherein the step of transmitting transmits encoded video message (see  
column 1, lines 42-44);

In a reception station:

Wherein the step of displaying the video message includes decoding the  
encoded video message into a decoded video message and displaying the  
decoded video message (see column 2, lines 3-11, lines 32-34, column 5, lines  
9-12).

In regards to claim 3, Budge discloses the method of generating a digital  
attachment file (see column 4, lines 47-50);

Wherein the transmitting step includes attaching the attachment file to the video  
message and transmitting both the video message and the attachment file to the  
reception station (see column 1, lines 42-44 and lines 57-62)

Wherein the storing step includes storing both the video message and the  
attachment file (see column 5, lines 55-57)

At a time other than the reception of the video message, presenting the attachment  
in a manner perceivable by the user (see column 4, lines 35-41).

In regards to claim 6, Budge discloses the method of:

In a transmission station:

The attachment file consisting of audio file in the reception station (see  
column 4, lines 47-50);

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In the reception station:

The step of presenting the attachment file by generating an aurally perceivable indication of the audio file (see column 1, lines 48-51, column 5, lines 12-15).

In regards to claim 7, budge discloses the method of:

In a transmission station:

Encoding the audio file into a encoded audio file (see column 4, lines 47-510);

Wherein the step of transmitting transmits the encoded audio file (see column 42-44);

In the reception station:

The step of generating an aurally perceivable indication of the audio file includes decoding the encoded audio file into a decoded audio file and generating an aurally perceivable indication of the decoded audio file (see column 5, lines 12-15).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Budge et al (US Pat. 6,014,689) in view of Taylor (GB 2299878 A).

In regards to claim 8, Budge does not disclose that the reception station comprises the method of displaying the stored video message by generating a television signal modulated according to a predetermined standard and displaying the television signal employing a television receiver operating according to the predetermined standard.

Taylor discloses the step of enabling a computer to output video signals to a television as an alternate to the computer monitor, in order to give a larger screen display. See abstract.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Budge with Taylor's teachings to output the computer video signals to a television in order to enable larger screen display of signals. Such a modification requires the video to be modulated according to a predetermined standard (NTSC) and displaying the television signal employing a television receiver (to receive the video output from the computer) operating according to the predetermined standard.

In regards to claim 9, Budge does not disclose that the reception station comprises the step of archiving video message by generating a television signal modulated according to a predetermined standard; and receiving and recording the television signal employing a video cassette recorder operating according to the predetermined standard.

Taylor discloses the step of enabling computer to output video signals to a videocassette recorder in order to playback information logged from the computer on the VCR. See abstract, page 1, page 2.

It would have been obvious to one of ordinary skill in the art to modify the system of Budge in view of Taylor's teachings by enabling the computer output signals to be recorded to a VCR in order to store data that was viewed on the computer. Such a modification comprises the step of modulating the computer video signals according to a predetermined standard (e.g. NTSC), and at the VCR operating according to the predetermined standard, receiving and recording the signal.

5. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Budge et al (US Pat. 6,014,689).

In regards to claim 4, Budge does not disclose the step of attaching a word processing document; and presenting the attachment file by running a word processing program compatible with the word processing document.

Examiner takes official notice that it was well know at the time of the invention to attachment word processing documents with e-mail; and presenting the word processing document by running a word processing program (such as Microsoft Word) compatible with the word processing document.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Budge, by attaching a word processing

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document with the video mail, thereby allowing the sender to send additional memos to the recipient.

In regards to claim 5, Budge does not disclose the step of attaching a spreadsheet document; and presenting the attachment file by running a spread sheet program compatible with the spread sheet document.

Examiner takes official notice that it was well know at the time of the invention to attachment spread sheet documents with e-mail; and presenting the spread sheet document by running a spread sheet program (such as Microsoft Excel) compatible with the spread sheet document.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Budge, by attaching a spread sheet document with the video mail, thereby allowing the sender to send additional charts to the recipient.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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